

REC'D 24 JAN 2002

WIPO PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 8166M/VB	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US00/27968	International filing date (day/month/year) 10/10/2000	Priority date (day/month/year) 08/10/1999
International Patent Classification (IPC) or national classification and IPC A47L13/17		
Applicant THE PROCTER & GAMBLE COMPANY et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 4 sheets, including this cover sheet.

- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☒ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☐ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 05/02/2001	Date of completion of this report 22.01.2002
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Martin Gonzalez, G Telephone No. +49 89 2399 2154 

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US00/27968

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, pages:

1-66 as originally filed

Claims, No.:

1-30 as originally filed

Drawings, sheets:

1/30-30/30 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:

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☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application.

☒ claims Nos. 1-30.

because:

☐ the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (*specify*):

☒ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. 1-30 are so unclear that no meaningful opinion could be formed (*specify*):
see separate sheet

☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.

☐ no international search report has been established for the said claims Nos. .

2. A meaningful international preliminary examination cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:

☐ the written form has not been furnished or does not comply with the standard.

☐ the computer readable form has not been furnished or does not comply with the standard.

**INTERNATIONAL PRELIMINARY
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Re Item III

Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

Although claims 1, 25, 29 and 30 have been drafted as separate independent claims, they appear to relate effectively to the same subject-matter and to differ from each other only with regard to the definition of the subject-matter for which protection is sought. The aforementioned claims therefore lack conciseness. Moreover, lack of clarity of the claims as a whole arises, since the plurality of independent claims makes it difficult, if not impossible, to determine the matter for which protection is sought, and places an undue burden on others seeking to establish the extent of the protection.

Hence, claims 1-30 do not meet the requirements of Article 6 PCT.

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 8166M/VB	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/US 00/ 27968	International filing date (day/month/year) 10/10/2000	(Earliest) Priority Date (day/month/year) 08/10/1999
Applicant THE PROCTER & GAMBLE COMPANY et al.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 4 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.



the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :



contained in the international application in written form.



filed together with the international application in computer readable form.



furnished subsequently to this Authority in written form.



furnished subsequently to this Authority in computer readable form.



the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.



the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

the text is approved as submitted by the applicant.



the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

the text is approved as submitted by the applicant.



the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

as suggested by the applicant.



because the applicant failed to suggest a figure.



because this figure better characterizes the invention.

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None of the figures.

INTERNATIONAL SEARCH REPORT

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Box III TEXT OF THE ABSTRACT (Continuation of item 5 of the first sheet)

LINE 1 -...APPLICATOR(10)
LINE 2 -...SIDE(24)...INTERNAL SURFACE(32)...EXTERNAL SURFACE(31)
LINE 3 -...SIDE(26)...INTERNAL SURFACE(34)...EXTERNAL SURFACE(33)
LINE 4 -...RESERVOIR(30)...RESERVOIR(30)
LINE 5 -...EXTERNAL SURFACE(31)...SIDE(24)...INTERNAL SURFACE(34)
LINE 6 -...SIDE(26)
LINE 7 -...RESERVOIR(30)

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 00/27968

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 A47L13/17 A47L13/19

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A47L A61F A47K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	<p>US 5 090 832 A (RIVERA L A ET AL) 25 February 1992 (1992-02-25)</p> <p>abstract column 2, line 63 - line 66 column 3, line 51 - line 58 column 5, line 15 - line 20 column 5, line 45 - column 6, line 5 column 7, line 9 - line 16 column 7, line 43 - line 66 figures 1-3,7,14-17</p> <p>---</p> <p>-/--</p>	<p>1-5,8, 11, 16-19, 21,29</p>

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *G* document member of the same patent family

Date of the actual completion of the international search

31 January 2001

Date of mailing of the international search report

06/02/2001

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Cabral Matos, A

INTERNATIONAL SEARCH REPORT

International Application No

PC 1, US 00/27968

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 4 596 481 A (TANAKA K) 24 June 1986 (1986-06-24) abstract column 1, line 63 -column 2, line 66 figures 1-6 ---	1-4, 8-10,16, 21,29
X	US 4 812 067 A (BROWN J B ET AL) 14 March 1989 (1989-03-14) abstract column 7, line 51 -column 9, line 19 figures 1-8 ---	1,3-5,8, 11,21,29
X	WO 99 17632 A (GLIDERS INC) 15 April 1999 (1999-04-15) page 9, line 25 -page 10, line 14 abstract figures 1A,1B ---	1,3-5,8, 21,29
X	AU 15012 92 A (TSUNG T C) 4 November 1993 (1993-11-04) abstract page 3, line 6 - line 20 figures ---	1,2,4, 21,22,29
X	EP 0 294 189 A (JAYPAK LTD) 7 December 1988 (1988-12-07) abstract column 2, line 3 - line 45 column 3, line 10 - line 38 figures 1-3,9-14 ---	1,3-5, 8-10,21, 24,29
X	CH 303 374 A (MEIER & CO) 30 November 1954 (1954-11-30) the whole document ---	1-3,8, 21,29
Y		8-10
X	CH 477 922 A (MORRIS H J) 15 September 1969 (1969-09-15) column 1, line 23 -column 3, line 14 column 3, line 32 - line 47 column 4, line 15 - line 20 column 4, line 44 - line 53 figures ---	1-4,8, 11,18,21
Y		14
X	GB 924 503 A (GODDARD J. & SONS LTD) 24 April 1963 (1963-04-24) the whole document ---	1-3,8, 13,29
Y		14
X	US 2 831 206 A (CURTIS D D) 22 April 1958 (1958-04-22) the whole document ---	1,3,8,9, 21

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INTERNATIONAL SEARCH REPORT

International Application No
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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	US 5 169 251 A (DAVIS SHARRON L) 8 December 1992 (1992-12-08) abstract column 4, line 24 -column 5, line 12 figures 1-6 -----	8-10
A	US 5 702 375 A (ANGELILLO S P ET AL) 30 December 1997 (1997-12-30) abstract column 6, line 29 -column 7, line 12 figures -----	22

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No
PCT/US 00/27968

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 5090832	A	25-02-1992	US 5094559 A	10-03-1992
US 4596481	A	24-06-1986	JP 58078634 A	12-05-1983
			JP 58099943 A	14-06-1983
			AT 16681 T	15-12-1985
			AU 554764 B	04-09-1986
			AU 8978882 A	12-05-1983
			BR 8206332 A	20-09-1983
			CA 1209532 A	12-08-1986
			DE 3267688 D	09-01-1986
			EP 0078596 A	11-05-1983
			ES 268266 Y	16-11-1983
			KR 8803744 Y	20-10-1988
US 4812067	A	14-03-1989	NONE	
WO 9917632	A	15-04-1999	US 5957605 A	28-09-1999
			AU 9793498 A	27-04-1999
AU 1501292	A	04-11-1993	NONE	
EP 0294189	A	07-12-1988	AT 110680 T	15-09-1994
			DE 3851263 D	06-10-1994
CH 303374	A	30-11-1954	BE 525259 A	
			LU 32608 A	
CH 477922	A	15-09-1969	NONE	
GB 924503	A		NONE	
US 2831206	A	22-04-1958	NONE	
US 5169251	A	08-12-1992	NONE	
US 5702375	A	30-12-1997	US 5277180 A	11-01-1994
			US 5178139 A	12-01-1993

PATENT COOPERATION TREATY

PCT

From the INTERNATIONAL BUREAU

NOTIFICATION OF THE RECORDING
OF A CHANGE(PCT Rule 92bis.1 and
Administrative Instructions, Section 422)

To:

REED, T., David
The Procter & Gamble Company
5299 Spring Grove Avenue
Cincinnati, OH 45217
ETATS-UNIS D'AMERIQUE

Date of mailing (day/month/year) 11 September 2001 (11.09.01)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference 8166M/VB	
International application No. PCT/US00/27968	International filing date (day/month/year) 10 October 2000 (10.10.00)

1. The following indications appeared on record concerning:

☒ the applicant ☒ the inventor ☐ the agent ☐ the common representative

Name and Address JOSEPH, Gary, Curtis 2366 Walden Glen Circle Apartment C Cincinnati, OH 45231 United States of America	State of Nationality US	State of Residence US
	Telephone No.	
	Facsimile No.	
	Teleprinter No.	

2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

☐ the person ☐ the name ☐ the address ☒ the nationality ☐ the residence

Name and Address JOSEPH, Gary, Curtis 2366 Walden Glen Circle Apartment C Cincinnati, OH 45231 United States of America	State of Nationality AG	State of Residence US
	Telephone No.	
	Facsimile No.	
	Teleprinter No.	

3. Further observations, if necessary:

4. A copy of this notification has been sent to:

☒ the receiving Office ☐ the designated Offices concerned
☐ the International Searching Authority ☒ the elected Offices concerned
☒ the International Preliminary Examining Authority ☐ other:

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Diana NISSEN
Facsimile No.: (41-22) 740.14.35	Telephone No.: (41-22) 338.83.38

PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

To:

Commissioner
 US Department of Commerce
 United States Patent and Trademark
 Office, PCT
 2011 South Clark Place Room
 CP2/5C24
 Arlington, VA 22202
 ETATS-UNIS D'AMERIQUE
 in its capacity as elected Office

Date of mailing (day/month/year) 14 June 2001 (14.06.01)	
International application No. PCT/US00/27968	Applicant's or agent's file reference 8166M/VB
International filing date (day/month/year) 10 October 2000 (10.10.00)	Priority date (day/month/year) 08 October 1999 (08.10.99)
Applicant GRUENBACHER, Dana, Paul et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:
05 February 2001 (05.02.01)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was
☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer Henrik Nyberg Telephone No.: (41-22) 338.83.38
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